

In re Appl. No. 09/034,336

Line ~~2~~, delete "as least one of pullulans and".

REMARKS

Rejections under 35 U.S.C. 112

Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

This rejection is respectfully traversed. Claim 5 has been amended to delete "an extracted plant-edible part."

Art Rejections

Claims 5-6, 9-10, and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maruta et al. as supported by Cardona. The Examiner alleges that Maruta teaches trehalose as a stabilizer for biologically active substances susceptible to loss of their effective ingredients and activities. Maruta is said to teach that "biologically active substances" include thiamine, riboflavin, and L-ascorbic acid. Cardona is said to teach that riboflavin, thiamine, and ascorbic acid are well known in the art to be antioxidants.

This rejection is respectfully traversed. Claim 5 has been amended to recite that the inhibitory agent includes both trehalose and pullulan. Support for this can be found in the specification as filed at page 10, second full paragraph, at page 15, last sentence on the page, in Experiment 1 at

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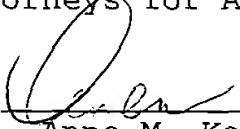
pages 13-16 (especially in Table 1), and in Examples A-4 and A-5 at pages 28-29. As recited in the second paragraph on page 10, pullulan can be most satisfactorily used together with trehalose. It is respectfully submitted that none of the cited prior art documents teaches the use of the combination of trehalose and pullulan in a method for inhibiting the decrease of naturally-occurring active-oxygen-eliminating activity.

Claim 5 as amended further recites that the inhibitory agent is incorporated homogeneously into the plant or edible part thereof. Support for this amendment can be found in the specification as filed in the sentence bridging pages 5 and 6.

In view of the above, it is respectfully submitted that the claims are now in condition for allowance, and favorable action thereon is earnestly solicited.

Respectfully submitted,

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